

Attorney Docket No. PP01631.101
2302-1631.20
PATENT



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By: Anne Currier Carr
Anne Currier Carr

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

BARNETT et al.

Examiner: B. Whiteside

Application No.: 09/610,313

Art Unit: 1635

Filed: July 5, 2000

Confirmation No.: 4221

For: POLYNUCLEOTIDES ENCODING ANTIGENIC HIV TYPE C
POLYPEPTIDE, POLYPEPTIDES AND USES THEREOF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97(b)

In accordance with the duty of disclosure set forth in 37 C.F.R. §1.56,
Applicant(s) hereby submits the following information in conformance with 37 C.F.R.
§§1.97 and 1.98.

- Pursuant to 37 C.F.R. §1.98, a copy of each document cited in the attached Form PTO/SB/08 is enclosed.
- No copy of the publication _____ listed on the attached Form PTO/SB/08A are being provided because the Office waives the requirement under 37 C.F.R. 1.98 (a) (2) (i) for submitting a copy of each cited U.S. patent and each U. S. patent application publication for all U.S. national patent applications filed after June 30, 2003.
- No copies of the publications listed on the attached Form PTO/SB/08A are being provided pursuant to 37 C.F.R. §1.98(d) because the publications were previously cited by or submitted to the Office in prior Application

Serial No. ___ to which the above-identified application claims priority under 35 U.S.C. §120.

- Publications listed on the attached Forms PTO/SB/08A & B were cited in a foreign search or examination report corresponding to European application no. P035630EP, which was mailed on April 18, 2005. A copy of the search report is enclosed.**
- Enclosed is a copy of a non-English publication(s) ___. Pursuant to §609 of the M.P.E.P., Applicant submits the attached foreign search or examination report, which cites such non-English language publication(s).
- Enclosed is a copy of a non-English publication(s) ___. English language publication ___ (copy enclosed) claims priority from this non-English publication.
- Enclosed is an explanation of non-English publication(s) ___ for which an English translation is not available.

This Information Disclosure Statement is filed within any one of the following time periods:

- within three months from the filing date of this national application other than a CPA under 37 C.F.R. § 1.53(d);
- within three months from the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in this international application;
- before the mailing date of a first office action on the merits; or
- before the mailing of a first office action after the filing of a request for continued examination under 37 C.F.R. §1.114.**

It is respectfully requested that the Examiner consider the above-noted information and return an initialed copy of the attached Form PTO/SB/08A to the undersigned.

Dated: May 13, 2005

Respectfully submitted,

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By:



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Reg. No. 41,411



PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

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Substitute for form 1449A/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Application Number	09/610,313
Sheet	1	of	2	Filing Date	July 5, 2000
				First Named Inventor	BARNETT et al.
				Art Unit	1635
				Examiner Name	B. Whiteside
				Attorney Docket Number	PP01631.101 (2303-1631.20)

U.S. PATENT DOCUMENTS+					
Examiner Initials*	Cite No. ¹	Document Number Number Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA				
	AB				
	AC				
	AD				
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FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. ¹	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³	Number ⁴ Kind Code ⁵ (if known)				
	BA	WO	96/09378 A1	03/28/1996	General Hospital		<input type="checkbox"/>
	BB	WO	97/31115 A2	08/28/1997	Merck & Co.		<input type="checkbox"/>
	BC	WO	990/41397 A1	08/19/1999	Oxford Biomedica		<input type="checkbox"/>
	BD						<input type="checkbox"/>
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	BF						<input type="checkbox"/>
	BG						<input type="checkbox"/>
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	BI						<input type="checkbox"/>
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Examiner Signature	Date Considered
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¹EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ² Applicant's unique citation designation number (optional). ³ See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ⁴ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁵ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁶ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.



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Substitute for form 1449B/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				<i>Application Number</i>	09/610,313
(use as many sheets as necessary)				<i>Filing Date</i>	July 5, 2000
				<i>First Named Inventor</i>	BARNETT et al.
				<i>Art Unit</i>	1635
				<i>Examiner Name</i>	B. Whiteside
Sheet	2	of	2	Attorney Docket Number	PP01631.101 (2303-1631.20)

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	CA	André et al., "Increased Immune Response Elicited by DNA Vaccination with a Synthetic gp120 Sequence with Optimized Codon Usage," <i>Journal of Virology</i> , February 1998, pp. 1497-1503.	
	CB	Notivsky et al., "Molecular Cloning and Phylogenetic Analysis of Human Immunodeficiency Virus Type 1 Subtype C: A Set of 23 Full-Length Clones from Botswana," <i>Journal of Virology</i> , May 1999, pp. 4427-4432.	
	CC		
	CD		
	CE		
	CF		
	CG		
	CH		
	CI		
	CJ		
	CK		

Examiner Signature		Date Considered	
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¹EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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